

## **EXHIBIT 16**

-----Original Message-----

From: Gobena, Gejaa (CIV)

Sent: Monday, December 04, 2006 4:58 PM

To: 'Jason G. Winchester'

Cc: 'tmtabacchi@JonesDay.com'; 'dstorborg@JonesDay.com'; 'jrdaly@JonesDay.com'; 'jgwinchester@JonesDay.com'; 'christophercook@JonesDay.com'; Brooker, Renee (CIV); Draycott, Justin (CIV); 'jbreen@breenlaw.com'; St.Peter-Griffith, Ann (USAFLS); Lavine, Mark (USAFLS); Martinez, Ana Maria (USAFLS)

Subject: RE: Please see attached notices of depositions

Jason,

I am following up on the questions from my 11/24 email to Chris.

The dates of Texas depositions seem straightforward, and if you could confirm, that would be great.

We can talk about the protocols on time keeping and use in cross-designated depositions during our call sometime between 12/12 and 12/15. I'll be putting a complete agenda together for that call and circulating it later this week or by Monday (if you have anything you want to put on it, let me know).

I guess we will learn about whether you will be fully producing pursuant to request #2 from our first set of RFPs due on December 11, but if you want to answer that now, that would be great and help advance our further discussions on the issue.

Finally, we need to discuss how many witnesses you will be producing for the 30(b)(6) (noticed on 11/18) and the date of that deposition. I would like to have that conversation this week. Please let me know when you might be available to discuss this on Wednesday 12/6 between 2PM and 4PM EST or Thursday 12/7 between 10AM and 12PM EST. If those times don't work, give me some other times later this week (other than between 2:30PM and 5PM EST on Thursday).

Thanks.